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 UMPQUA BANK

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11 AMBER HAWTHORNE, CHRISTOPHER
 12 KNEER, and VICTORIA KNEER on Behalf of
 Themselves and All Others similarly situated,

13 Plaintiff,

14 vs.

15 UMPQUA BANK,

16 Defendant.

Case No.: 3:11-cv-06700-JST

Hon. Jon S. Tigar

**PROPOSED ORDER APPROVING
 STIPULATION FOR: (1) LEAVE TO FILE
 SECOND AMENDED COMPLAINT; AND
 (2) TIME FOR DEFENDANT TO ANSWER
 SECOND AMENDED COMPLAINT**

Complaint Filed: Dec. 29, 2011
 First Amended Compl.: Feb. 12, 2012

REED SMITH LLP
 A limited liability partnership formed in the State of Delaware

ORDER

Having considered the Parties' Stipulated Request For (1) Leave to File Second Amended Complaint and (2) Time for Defendant to Answer Second Amended Complaint (the "Stipulation"), and good cause appearing.

IT IS HEREBY ORDERED that:

1. Plaintiffs Amber Hawthorne, Christopher Kneer and Victoria Kneer may file the [Proposed] Second Amended Complaint attached to the Stipulation as Exhibit 1;

2. Defendant Umpqua Bank may file its answer to the Second Amended Complaint in the form attached to the Stipulation as Exhibit 2 within two (2) court days after receiving notice that the Second Amended Complaint has been filed;

3. The Court's prior ruling, granting Umpqua's Motion to Dismiss as to Plaintiffs' cause of action for unconscionability, shall be applicable to the Second Amended Complaint, and Plaintiffs' claim for unconscionability shall not be revived by the filing of the Second Amended Complaint;

4. Defendant Umpqua Bank's Motion for Judgment on the Pleadings, ECF Docket Nos. 40, 41, and 42, will be considered as if it were filed to the Second Amended Complaint.

DATED: 7/22/13


The Honorable Jon S. Tigar
UNITED STATES DISTRICT JUDGE